

**GOVERNMENT OF ANDHA PRADESH
ABSTRACT**

Government lands – Karimnagar District – Karimnagar Mandal – Teegalaguttapally , H/o. Arepalli village, Sy.No.120 – Resumption of 8.00 acres of land from S.R.R. Govt. Degree College Employees Co-operative House Building Society Ltd., Karimnagar – Hon'ble High Court order in W.A.No.2386/2005, dt.29-3-2007 with a direction to handover the land to the petitioners – Proposal for equivalent value of the alternative land in Sy.Nos.339 and 340 situated in Malkapur village – Total extent of Acs.16.00 – Orders – Issued.

Revenue (Assign-VI) Department

G.O.Ms.No. 250

Dated:29-03-2010.

Read the following:-

- (1) From the Dy. Registrar, H.C. of A.P., Hyderabad order dt.29-3-2007 in W.A.No.2386/2005.
 - (2) From Sri Chada Venkat Reddy, M.L.A., reptn., dt.9-7-2007.
 - (3) From the Collector, Karimnagar, Lr.NO.E1/1200/2004, dt:1-2-2009.
 - (4) From the Collector, Karimnagar, Lr.NO.E1/1200/2004, dt.4-5-2009.
 - (5) From the Collector, Karimnagar, Lr.No.E1/1200/2004, dt.2-9-2009.
 - (6) Govt.Memo.No.31274/Assign-VI/07-6, dt.15-9-2009.
 - (7) Govt.Memo.No.31274/Assign-VI/07-8, dt.25-9-2009.
 - (8) From the C.C.L.A., A.P., Hyd, Lr.No.BB3/2007/2009,dt.16-10-2009.
 - (9) From the Collector, Karimnagar, Lr.No.E1/1200/2004, dt.4-11-2009.
 - (10) From the Collector, Karimnagar, Lr.No.E1/1200/2004, dt.28-11-2009.
 - (11) Hon'ble High Court orders, dt.1-12-2009 in W.A.M.P.No.2298/2008 in W.A.No.2386/2005.
 - (12) From the Collector, Karimnagar, Lr.No.E1/1200/2004, dt.6-1-2010.
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ORDER:-

In his letter 3rd read above, the Collector, Karimnagar has reported that in the representation 2nd read above, it was requested to allot alternate land to the SRR Govt., Degree College Employees Co-operative House Building Society, Karimnagar in the light of the directions of Hon'ble High Court of A.P. in W.A.No.23896/2005, dt.29-3-2007, first read above. While narrating the brief facts of the case, the Collector, Karimnagar has requested to issue certain clarification. He has reported the brief facts of the case as follows:-

2) The land situated in Survey Number 120 at Arepally village of Karimnagar was assigned by the District Collector, Karimnagar on 13-01-1954. The SRR Govt., Degree College Employees Co-operative House Building Society, Karimnagar purchased assigned land of an extent of Ac.11.13 in Survey No.120 of Arepally village in the year 1982 through registered sale deeds. The Mandal Revenue Officer, Karimnagar in his Proceedings No. B1/950/96, Dt:30-09-1996 resumed the above land under the provisions of Section 3 of the A.P. Assigned Land (POT) Act, 1977 on 30-09-1996. On appeal, the Revenue Divisional Officer, Karimnagar in his Proceedings No. KI/5767/96, Dt:22-08-1998 set aside the above orders of M.R.O., Dt:30-09-96 on the ground that the land was assigned prior to 25-07-58 and the assignee is not prohibited to assign the land. The above Society has filed a petition before the District Collector on 24-09-1996 and the District Revenue Officer, Karimnagar while allowing the petition directed to hand over an extent of 8 acres to the respondent society in his order Dt:27-11-2002. In the meanwhile, the MRO, Karimnagar has issued house site pattas to 171 candidates in the above land on 25-07-1998. Pursuant to the orders of the R.D.O., Karimnagar Dt:22-08-1998 and District Revenue Officer, Karimnagar DT:27-11-2002, the Government Degree College Employees Co-operative House Building Society, Karimnagar has filed a W.P.No.14459/03 in the High Court, praying for handing over possession of an extent of 10 acres and 53 cents of land. Mean-while, the persons, in whose favour

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house site pattas were granted, have filed a W.P.No.4155/03 in the High Court against dispossession of them from the subject land and the Court in its interim orders Dt:10-03-2003 stayed the cancellation of their pattas issued on 01-02-2003. The Hon'ble High Court in its order Dt: 21-09-2005 in W.P.No.14459/2003 disposed of the case leaving the President of the above house building society at his liberty to approach Revenue authorities to effect to the proceedings issued by them.

3) Aggrieved of the judgment of the High Court in W.P.No.14459 of 2003 Dt:29-09-2005, the SRR Government Degree College Employees Co-operative House Building Society have filed W.A.No.2386/05 in the High Court and the court in its judgment Dt:29-03-2007 rejected the prayer of the appellants for restoration of possession of land in Sy.No.120 of Arepally. However, the court directed the government to take appropriate decision in the matter of allotment of alternative land to the appellants or acquire the land or to pay compensation at the market rate prevailing on the date of dispossession.

4) The society has filed an SLP before the Supreme Court praying for payment of compensation from the date of issue of the notice of the resumption of land. Pursuant to the directions of the Supreme Court, the appellants have filed a review petition before the Division Bench of the High Court for payment of compensation from the date of issue of notice of resumption of land.

5) The District Collector, Karimnagar in his letter, Dt:01-02-2009 requested to issue suitable instructions on allotment of alternative land to the appellants or pay compensation to them as directed by the High Court.

6) As per the instructions of Govt., the Collector, Karimnagar District has sent proposals, vide his letter 9th read above, for allotment of equivalent value of alternative site, which is situated in Sy.No.340 an extent of Acs.12.01 gts., and in Sy.NO.339 an extent of Acs.3.39 gts., of Malkapur village, totaling an extent of Acs.16.00 guntas in lieu of the resumed land to an extent of Acs.8.00 gts., from the petitioner society in Sy.No.120 of Arepally village as per the orders of Hon'ble High Court , dt.29-3-2007 in W.A. NO.2386/05 to avoid payment of compensation.

7) The Honorable High Court in its order dt.01-12-2009 has disposed of WAMP No.2298/08 in WA.NO 2386 of 2005 by placing on record the submission of the learned Assistant Government Pleader for Revenue (Assignments) that an extent of Ac 16.00 of land in Survey No 340 of Malkapur village, will be handed over to the petitioner with in a period of two months from today, in lieu of payment of compensation.

8) The Government, after careful examination of the proposals of the Collector, Karimnagar, hereby direct for allotment of alternative land, equivalent value of the resumed land, which is situated in Sy.No.340 an extent of Acs.12.01 gts., and in Sy.No.339 an extent of Acs.3.39 gts., of Malkapur village, totaling an extent of Acs.16.00 guntas as per location sketch furnished, which are adjacent/existing combined (located as a single plot) in lieu of the resumed land to an extent of Acs.8.00 gts., from the petitioner society in Sy.No.120 of Arepally village as per the orders of Hon'ble High Court, dt.29-3-2007 in W.A. No.2386/05 to avoid payment of compensation in favour of the President, SRR Government Degree College Employees House Building Society Ltd., Karimnagar.

9) The Collector, Karimnagar District is requested to take necessary further action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESHWAR TIWARI,
SECRETARY TO GOVERNMENT.

To
The District Collector, Karimnagar.

Copy to:-

The Spl. C.S.&C.C.L.A., A.P., Hyderabad.

The Govt., Pleader for Revenue (Assignments), H.C. of A.P., Hyderabad
(with a request to appraise the matter to the Hon'ble Court.)

The President, SRR Govt. Degree College Employees House Building
Society Ltd,, H.No.10-3-118, Vidyanagar, Karimnagar.

Sri Venu Madhav, Advocate, H.C. of A.P., Hyderabad, H.NO.11-9-88/5,
Laxminagar Colony, Road NO.2-B, Kothapet, Hyderabad-500 035.

Sf./Sc.

// FORWARDED :: BY ORDER //

SUPERINTENDENT